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Connecticut State Medical Society Testimony
Presented to the Public Health Committee on
House Bill 6310 An Act Concerning Direct Access to Laboratory Results
House Bill 6200 An Act Concerning the Use of Long-term Antibiotics for the Treatment
of Lyme Disease
Senate Bill 6265 An Act Concerning Speech and Language Pathology
Senate Bill 406 An Act Concerning Licensure of Assistant Radiologists
SB 781 An Act Concerning Therapeutic Contact Lenses
February 6, 2009

Senator Harris, Representative Ritter and members of the Public Health Committee, my name is Dr. William Handelman and I am currently the President of the Connecticut State Medical Society (CSMS). On behalf of our more than 7,000 members thank you for the opportunity to submit this testimony to you today on various pieces of proposed legislation that would in some way impact the healthcare system in Connecticut and the health of our patients.

House Bill 6310 An Act Concerning Direct Access to Laboratory Results would require physicians ordering certain medical tests to authorize the entity conducting the test to communicate the results to the patient unless the physician reasonably determines that the communication may be detrimental to the physical or mental health of the patient, or may result in the patient hurting himself, herself or another.

CSMS believes that every patient not only has a right to access his or her medical record, but along with the treating physician owns it. However, the complexity of many medical services and testing require communication and explanation from the treating physician in order to convey a true understanding of the results. Furthermore, the results of testing for many conditions are difficult to interpret and can lead to unnecessary concern and anxiety for a patient prior to a discussion with the treating physician. While it may not elevate to the level of a patient being harmed mentally or physically, such premature access to records may have an unneeded negative impact on the patient.

While we welcome the opportunity to work with members of the committee to ensure that patients have appropriate access to medical test results at the appropriate time, we are obligated to raise the concern about mandating physicians to require access to test results prior to interpretation of such results by the ordering physician. Despite advances in internet, web based information, the best information on medical treatment and care, as well as evaluation and interpretation of test results rests with the treating physician.

House Bill 6200 An Act Concerning the Use of Long Term Antibiotics for the Treatment of Lyme Disease (1) allows physicians to prescribe administer or dispense

antibiotic therapy for therapeutic purposes to a person diagnosed with and having symptoms of Lyme disease and (2) protects against disciplinary action when doing so.

CSMS supports this legislation to protect physician treating Lyme disease with long term antibiotics provided that the diagnosis and treatment fall within acceptable medical guidelines. Antibiotic therapy is a proven treatment for Lyme disease. A physician utilizing such therapy should in no way be disciplined or persecuted when reasonably determining that such a treatment is medically necessary for the benefit of the patient.

CSMS joins the Connecticut ENT Society in support of **House Bill 6265 An Act Concerning Speech and Language Pathology**. There is a distinct difference in medicine between the terms “diagnose” and “evaluate.” Diagnose is medical in nature and requires the training and education of a physician. We do not believe that it was the intent of the legislature or the sponsoring organization to permit non physicians to medically diagnose.

CSMS supports the concerns raised by the Connecticut Radiological Society (CRS) on **Senate Bill 406 An Act Concerning Licensure of Assistant Radiologists** and does not support the bill at this time with no specific drafted language. CRS has raised serious questions in its testimony regarding credentialing and patient safety. We agree that these questions and the lack of answers to them in the legislation go to the heart of what qualifies someone to be a radiologist’s assistant.

Also, any legislation impacting healthcare professionals who assist radiologists should clarify the ability of physician assistants to engage in the use of Fluoroscopy for diagnostic professionals exempt from requirements of the Radiological Technician Statutes. This will ensure that fluoroscopy procedures can be performed in appropriate settings without any confusion or controversy as to who is entitled to assist the radiologist.

Finally, CSMS respectfully asks the committee to oppose **Senate Bill 781 An Act Concerning Therapeutic Contact Lenses**. Currently no publicly reviewable data on the safety and efficacy of these lenses currently exists. Furthermore, these contact lenses have not been approved by the Food and Drug Administration (FDA) at this time. The legislation before you stipulates FDA approval prior to granting optometrists the ability to dispense such contact lenses. We disagree with this approach. Legislating prescriptive authority pending the potential approval of the lenses is premature and not in the best interest of the health and safety of Connecticut citizens. Not only is it the responsibility of this committee to ensure FDA approval, but it also must review data on safety and efficacy to determine whether certain classes of health care providers have the level of training and skill necessary to safely prescribe and dispense.

Thank you for the opportunity to submit this testimony to you today. We look forward to working with committee members on this and other significant legislation that will impact the health and well being of our patients.